

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAPA FAAL,

Defendant.

) **INFORMATION** CR 15-28 RHK
)

) (18 U.S.C. § 371)

) (18 U.S.C. § 960)

) (22 U.S.C. § 2778)

) (22 C.F.R. Parts 121.1,
) 123.1, and 127.1)

)

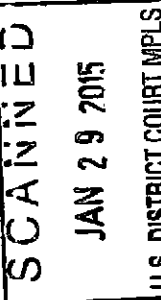
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THE UNITED STATES ATTORNEY CHARGES THAT:

INTRODUCTORY ALLEGATIONS

At all times material to this information:

1. Defendant **PAPA FAAL** was a resident of Brooklyn Park, Minnesota.
2. The United States and The Gambia were at peace.
3. In furtherance of the national security and foreign policy interests of the United States, the Arms Export Control Act ("AECA"), 22 U.S.C. § 2778, regulates and restricts the sale of arms, munitions, implements of war, and other defense articles and services.
4. Pursuant to the authority granted in the AECA, the U.S. Department of State, Directorate of Defense Trade Controls ("DDTC"), promulgates regulations, which are known as the International Traffic in Arms Regulations ("ITAR"), 22 C.F.R. §§ 120-130. The ITAR specifically govern the export of "defense articles" and also contain the United States Munitions List ("USML"), 22 C.F.R. § 121.1, which designates what items are "defense articles."
5. "Defense articles," as that term is used in 22 U.S.C. § 2778(b)(2) and the



ITAR, means items, including technical data, designated for placement on the USML as weapons, weapons systems, munitions, aircraft, associated equipment, and other implements of war.

6. Once an item is designated as a “defense article” on the USML, a person or governmental entity seeking to export that item from the United States must receive a license or other approval to do so from the DDTC.

COUNT 1

(Conspiracy to Make an Expedition Against a Friendly Nation)

7. Beginning on or about August 1, 2014, and continuing until on or about January 1, 2015, within the State and District of Minnesota, and elsewhere, the defendant,

PAPA FAAL,

did knowingly and willfully conspire and agree with others, known and unknown to the United States, to participate in an attempt to overthrow the government of The Gambia, a nation with whom the United States is at peace, an offense which violates 18 U.S.C. § 960 (the Neutrality Act); all in violation of Title 18, United States Code, Section 371.

8. As part of the conspiracy, the defendant participated in regular conference calls from his home in Minnesota with the other members of the conspiracy. In these calls the defendant discussed operational and logistical planning for the attempted overthrow of the Gambian government.

COUNT 2

(Conspiracy to Violate the Arms Export Control Act)

9. Beginning in or about August 1, 2014, and continuing through in or about January 1, 2015, within the District of Minnesota and elsewhere, the defendant,

PAPA FAAL,

did knowingly and willfully conspire and agree with others, known and unknown to the United States, to violate the AECA and the ITAR by exporting defense articles on the USML to The Gambia without first obtaining licenses from the DDTC, in violation of Title 22, United States Code, Sections 2778(b)(2) and 2778(c), and Title 22, Code of Federal Regulations, Sections 121.1, 123.1, and 127.1.

10. The object of the conspiracy was to supply firearms to the members of the conspiracy who would travel to The Gambia with the intent to use these weapons to topple the Gambian government.

11. To accomplish this conspiracy, the defendant purchased eight (8) M4 semiautomatic rifles in Minnesota, broke them down into their component parts, hid the parts in barrels, and shipped the barrels containing the rifle components from the United States to The Gambia.

12. The defendant purchased the M4 semiautomatic rifles using funds provided by other members of the conspiracy.

13. The M4 semiautomatic rifles purchased by the defendant and exported from the United States to Gambia were USML items, as defined within the ITAR. A license was required to export these items to end-users outside of the United States.

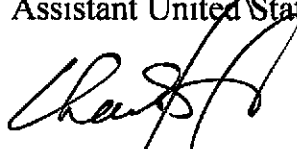
14. No license was sought to export these items outside the United States.

Dated: 29 JAN 15

ANDREW M. LUGER
United States Attorney



BY: CHARLES J. KOVATS, JR.
Assistant United States Attorney



for

BY: RICHARD SCOTT
Trial Attorney
U.S. Department of Justice